GOVERNMENT OF ANDHRA PRADESH

ABSTRACT.

Transport Department–Public Servants–Allegation of issue of release orders of Multi-Axle Goods Vehicles(Tractor Trailers)with short collection of Compounding Fees against Sri A. Mohan, DTC–Disciplinary Proceedings Initiated–WSD submitted–Case entrusted to COI for Detailed Enquiry–Enquiry Report Submitted - Further Action Dropped-Orders-Issued.

TRANSPORT, ROADS & BUILDINGS(VIG.TR[2])DEPARTMENT

G.O.RT.No.375 **Dated:22.07.2015**

Read the following:

1)From the Transport Commissioner, Andhra Pradesh, Hyderabad, Letter No.1207/V4/2009, Dated:14.05.2009.
2)G.O.Rt.No.1368,TR&B(Vig.III)Deptt., Dated:18.12.2009.
3)From Sri A.Mohan, DTC, Representation, Dated:22.07.2011.
4)G.O.Rt.No.1093, TR&B(Vig.III)Deptt., Dated:17.11.2012.
5)From Sri Lingaraj Panigrahi, IAS, Commissioner of Inquiries & Inquiring Authority, D.O.Lr.No.319/COI.LP/2011-1, Dated: 22.08.2012.
6)Govt. Memo No.5151/Vig.Tr./A2/2009-7, Dated:11.07.2014.
7)From the Transport Commissioner, Andhra Pradesh, Hyderabad, Letter No.1207/V1/2009, Dated:06.09.2014.

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ORDER:

In the reference first read above, the Transport Commissioner, A.P., Hyderabad has requested the Government to initiate Disciplinary Proceedings against Sri A.Mohan, on the allegations that while he was working as Deputy Transport Commissioner, Chittoor in the year 2009, has made short collections of Compounding Fee in respect of release of Nine(9) Multi-Axle Goods Carriages(Tractor-Trailer) during the period from 16.07.2006 to 25.12.2008 and caused loss of revenue to Government to an extent of Rs.9,52,525/-. In the reference second read above, Government have issued orders for initiation of disciplinary action against Sri A.Mohan, the then Deputy Transport Commissioner, Chittoor, by framing Articles of Charges. In the reference third read above, Sri A.Mohan, Deputy Transport Commissioner, has submitted his Written Statement of Defence, denying the charge in toto and requested the Government to drop further action against him.

2. After examining the Written Statement of Defence of the Charged Officer, as it was found to be not convincing, Government have decided to get the case enquired into by Commissioner Of Enquiries and orders were issued to this effect in the reference fourth read above by appointing Sri Lingaraj Panigrahi, IAS, as the Inquiring Authority for conducting a Detailed Enquiry. In the reference fifth read above, the Inquiring Authority has submitted his Enquiry Report, holding that the charges framed against the Charged Officer as "Not Proved". In the reference sixth read above, while informing that it is decided not to agree with the Findings of the Inquiring Authority Govt. have called for specific remarks of the Transport Commissioner on the Findings of the Inquiring Authority. In the reference 7th read above, the Transport Commissioner, A.P., Hyderabad has furnished his remarks on the Inquiring Authority's Findings and requested the Government to issue necessary orders.

(PTO)

3. After examining the Enquiry Report, Government have observed that "the main charge against Sri A.Mohan, Deputy Transport Commissioner, Chittoor was short collection of Compounding Fees in respect of release of Nine(9) Multi Axle Goods Carriages(Tractor-Trailer) during the period from 2006-2008. It is noticed from the material available that Sri A.Mohan, former Deputy Transport Commissioner, Chittoor acted as per the provisions of Motor Vehicles Act, 1988[under 58(3) and 110(3)] and Gazzette Notifications issued by the Government of India from time to time in respect of Multi Axle Hydraulic Trailers. Further, the Govt. Of India had issued Clarifications in the year 2008 and Reiterated the same Instructions in the year 2010 and to comply with the provisions of the said Acts and Notifications issued thereon, regarding Assessment of Compounding Fees. The Enquiry Officer, in his Report, has appreciated the action taken by Sri A.Mohan, Deputy Transport Commissioner, as per the provisions of the Motor Vehicles Act, 1988 and Govt. Of India Notifications on collection of Compound Fees for the Nine(9) Vehicles and held that the charge of short collection of Compounding Fees was held 'Not Proved'".

4. In the circumstances, Government have decided to agree with the Findings of Inquiring Authority, COI(LP.), that the charge against Sri A.Mohan, Deputy Transport Commissioner, is held as Not Proved.

5. After careful examination of the entire case, Government, therefore, accept the Findings of the Inquiring Authority, COI.LP, that the charge against Sri A.Mohan, Deputy Transport Commissioner, is held as Not Proved, and accordingly further action against Sri A. Mohan, Deputy Transport Commissioner, is hereby dropped.

6. The Transport Commissioner, A.P., Hyderabad shall take further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B.SAM BOB,
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri A.Mohan, Deputy Transport Commissioner, Kakinada **through** the Transport Commissioner, A.P., Hyderabad.
The Transport Commissioner, A.P., Hyderabad.
Copy to:
The Secretary to Vigilance Commissioner, A.P.Vigilance Commission, Hyderabad, for information.
SF/SC's.

//FORWARDED:: BY ORDER//

SECTION OFFICER